

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

**IN THE MATTER OF:**

American Iron Oxide Company and  
Magnetics International, Inc.  
1111 North State Road 149  
Burns Harbor, Indiana 46304

**ATTENTION:**

Franz Mullings, Vice President, Compliance and Business  
Development

**Request to Provide Information Pursuant to the Clean Air Act**

The U.S. Environmental Protection Agency (EPA) is requiring American Iron Oxide Company (AMROX) and Magnetics International, Inc. (MII) (hereinafter collectively referred to as AMROX/MII) to submit certain information about its two facilities located at 6300 U.S. Highway Route 12, Portage, Indiana 46368 (AMROX Facility) and 1111 North State Road 149, Burns Harbor, Indiana 46304 (Magnetics Facility). Appendix A provides the instructions needed to answer this information request, including instructions for electronic submissions. Appendix B specifies the information that you must submit. You must send this information to us within thirty (30) calendar days after you receive this request.

We are issuing this information request under Section 114(a) of the Clean Air Act (the Act), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

AMROX/MII owns and operates emission sources in Portage, Indiana and Burns Harbor, Indiana. We are requesting this information to determine whether your emission sources are complying with the National Emission Standards for Hazardous Air Pollutants for Steel Pickling-

HCl Process Facilities and Hydrochloric Acid Regeneration Plants, 40 C.F.R. Part 63, Subpart CCC and the November 28, 2006 Consent Decree between AMROX/MII and EPA.

AMROX/MII must send all required information to:

Attn: Compliance Tracker, AE-17J  
Air Enforcement and Compliance Assurance Branch  
U.S. Environmental Protection Agency, Region 5  
77 W. Jackson Boulevard  
Chicago, Illinois 60604

AMROX/MII must submit all required information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Act, and 18 U.S.C. §§ 1001 and 1341.

As explained more fully in Appendix C, you may assert a claim of business confidentiality under 40 C.F.R. Part 2, Subpart B for any part of the information you submit to us. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth at 40 C.F.R. Part 2, Subpart B. If you do not assert a business confidentiality claim when you submit the information, EPA may make this information available to the public without further notice. You should be aware, moreover, that pursuant to Section 114(c) of the CAA and 40 C.F.R. § 2.301(a) and (f), emissions data, standards and limitations are not entitled to confidential treatment and shall be made available to the public notwithstanding any assertion of a business confidentiality claim. Appendix C provides additional information regarding the meaning and scope of the term "emissions data."

This information request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

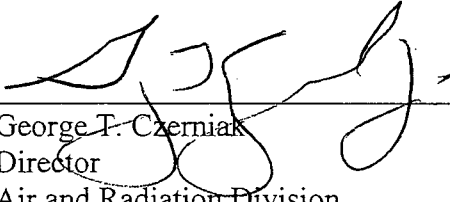
We may use any information submitted in response to this request in an administrative, civil, or criminal action.

Failure to comply fully with this information request for information may subject AMROX/MII to an enforcement action under Section 113 of the Act, 42 U.S.C. § 7413.

You should direct any questions about this information request for information to Linda H. Rosen (312) 886-6810.

Date

3/7/16

  
George T. Czerniak  
Director  
Air and Radiation Division

## **Appendix A**

When providing the information requested in Appendix B, use the following instructions and definitions.

### **Instructions**

- a. Provide a separate narrative response to each question and subpart of a question set forth in Appendix B.
- b. Precede each answer with the number of the question to which it corresponds and at the end of each answer, identify the person(s) who provided information used or considered in responding to that question, as well as each person consulted in the preparation of that response.
- c. Indicate on each document produced, or in some other reasonable manner, the number of the question to which it corresponds.
- d. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
- e. Where information or documents necessary for a response are neither in your possession nor available to you, indicate in your response why the information or documents are not available or in your possession, and identify any source that either possesses or is likely to possess the documents or information.
- f. If information not known or not available to you as of the date of submission later becomes known or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or incorrect, you must notify EPA as soon as possible.

### **Electronic Submissions**

To aid in our electronic recordkeeping efforts, we request that you provide all documents responsive to this information request in an electronic format according to paragraphs 1 through 6, below. These submissions are in lieu of hard copy.

1. Provide all responsive documents in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition (OCR) for "image over text" to allow the document to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.
2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel or Lotus format, and not in image format. If Excel or Lotus formats are not available, then the format should

allow for data to be used in calculations by a standard spreadsheet program such as Excel or Lotus.

3. Provide submission on physical media such as compact disk, flash drive or other similar item.
4. Provide a table of contents for each compact disk or flash drive containing electronic documents submitted in response to our request so that each document can be accurately identified in relation to your response to a specific question. *We recommend the use of electronic file folders organized by question number.* In addition, each compact disk or flash drive should be labeled appropriately (e.g., Company Name, Disk 1 of 4 for Information Request Response, Date of Response).
5. Documents claimed as confidential business information (CBI) must be submitted on separate disks/drives apart from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the CBI. Please follow the instructions in Appendix C for designating information as CBI.
6. Certify that the attached files have been scanned for viruses and indicate what program was used.

#### **Definitions**

All terms used in this information request have their ordinary meaning unless such terms are defined in the CAA, 42 U.S.C. §§ 7401 *et seq.*, or the National Emission Standards for Hazardous Air Pollutants for Steel Pickling-HCl Process Facilities and Hydrochloric Acid Regeneration Plants, 40 C.F.R. Part 63, Subpart CCC.

1. The terms “document” and “documents” shall mean any object that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include attachments to or enclosures with any documents.
2. The terms “relate to” or “pertain to” (or any form thereof) shall mean constituting, reflecting, representing, supporting, contradicting, referring to, stating, describing, recording, noting, embodying, containing, mentioning, studying, analyzing, discussing, evaluating or relevant to.
3. The term “AMROX/MII” shall mean American Iron Oxide Company, Magnetics International, Inc. and all subsidiaries, parent companies and related entities.

## Appendix B

### Information You Are Required to Submit to EPA

Provide the following information separately for the AMROX and Magnetics facilities using the instructions and definitions provided in Appendix A. EPA requests that all information be provided in electronic (.pdf or .xls) format, if possible.

1. Provide the following information only if it has changed since your February 2015 response to U.S. EPA's December 3, 2014 information request: Provide a description of the roasting processes at each facility, including but not limited to the types of equipment, fuels used, raw materials used, maximum and average processing rates, etc. Provide a schematic diagram showing the location of all major process and air pollution control equipment.
2. Provide the following information only if it has changed since your February 2015 response to U.S. EPA's December 3, 2014 information request: For each roaster at each facility, describe the systems in place to measure, monitor and record the below listed parameters. Include the name, make and model of each system, the date it was installed, the calibration procedures you use, and the frequency of monitoring and recording, including:
  - (a) the hydrochloric acid (HCl)/chlorine (Cl<sub>2</sub>) scrubber system makeup water flow rate;
  - (b) the HCl/Cl<sub>2</sub> scrubber system pressure drop;
  - (c) the HCl/Cl<sub>2</sub> scrubber system recirculation water flow rate;
  - (d) the process offgas temperature; and
  - (e) parameters from which proportion of excess air is determined.
3. As required by 40 C.F.R. § 63.1161(b), and for the periods November 28, 2006 to December 31, 2009 and from January 1, 2015 to the date of receipt of this request, provide for each roaster at each facility the site-specific operating parameter values established for the minimum HCl/Cl<sub>2</sub> scrubber makeup water flow rate and, if applicable, the minimum scrubber system recirculation water flow rate based on the monitoring data recorded during performance tests. Show the exact calculations performed to establish the operating parameter values and state when the parameter values were established and state which performance test(s) were used to establish the parameters. Provide copies of all the underlying monitoring data collected during the performance tests that you used in the establishment of the operating parameters. If no such parameters were calculated for any time during the two requested time periods, please so state.
4. As required by 40 C.F.R. § 63.1161(c), and for the periods November 28, 2006 to December 31, 2009 and from January 1, 2015 to the date of receipt of this request, provide for each roaster at each facility the site-specific operating parameter values established for the minimum process offgas temperature and the maximum proportion of excess air fed to the process based on monitoring data recorded during performance tests. Show the exact calculations performed to establish the operating parameter values and

state when the parameter values were established and state which performance test(s) were used to establish the parameters. Provide copies of all the underlying monitoring data collected during the performance tests that you used in the establishment of the operating parameters. If no such parameters were calculated for any time during the two requested time periods, please so state.

5. As required by 40 C.F.R. § 63.1165(b) and § 63.1160(b)(1)(i), provide copies of the following records for each roaster at each facility for the periods November 28, 2006 to December 31, 2009 and from January 1, 2015 to the date of receipt of this request:
  - (a) HCl/Cl<sub>2</sub> scrubber system makeup water flow rate and recirculation water flow rate;
  - (b) Process offgas temperature;
  - (c) Parameters that determine proportion of excess air;
  - (d) Calculation of excess air;
  - (e) Pressure drop across the HCl/Cl<sub>2</sub> scrubber system; and
  - (f) Calibration and manufacturer certification that monitoring devices are accurate to within 5 percent.
6. For the periods November 28, 2006 to December 31, 2009 and from January 1, 2015 to the date of receipt of this request, provide for each facility copies of all versions (by date) of the operation and maintenance plans required by 40 C.F.R. § 63.1160(b)(1).
7. For the periods November 28, 2006 to December 31, 2011 and from January 1, 2015 to the date of receipt of this request, provide for each facility copies of the records of all inspections conducted on the HCl/Cl<sub>2</sub> scrubber systems, including results and corrective actions, as required by 40 C.F.R. § 63.1160(b)(1)(iv) and 63.1160(b)(1)(vii).
8. For the periods November 28, 2006 to December 31, 2009 and from January 1, 2015 to the date of receipt of this request, provide copies of all versions (by date) of each facility's written maintenance plan, required by 40 C.F.R. § 63.1160(b)(2).
9. For the periods November 28, 2006 to June 30, 2014 and from January 1, 2015 to the date of receipt of this request, for each facility, provide copies of the daily maintenance records required by 40 C.F.R. § 63.1160(b)(2)(iii).
10. For the periods November 28, 2006 to December 31, 2011 and from January 1, 2015 to the date of receipt of this request, for each facility, provide copies of the semi-annual malfunction reports required to be submitted by 40 C.F.R. § 63.1164(c).
11. For the periods November 28, 2006 to December 31, 2011 and from January 1, 2015 to the date of receipt of this request, for each facility, provide copies of the following records required to be kept by 40 C.F.R. § 63.1165(a)(1)-(4):
  - (a) The occurrence and duration of each malfunction of operation (i.e., process equipment);
  - (b) The occurrence and duration of each malfunction of the air pollution control

- equipment;
- (c) All maintenance performed on the air pollution control equipment; and
  - (d) Actions taken during periods of malfunction to minimize emissions in accordance with § 63.1259(c) and the dates of such actions (including corrective actions to restore malfunctioning process and air pollution control equipment to its normal or usual manner of operation).
12. For the periods November 28, 2006 to December 31, 2009, and from January 1, 2015 to the date of receipt of this request, specify the dates and times and include copies of the supporting records that indicate when each roaster at each facility was in "hydrochloric acid regeneration production mode" as defined in 40 C.F.R. § 63.1156. "Hydrochloric acid regeneration production mode" means operation under conditions that result in production of usable regenerated acid or iron oxide.
  13. For the periods November 28, 2006 to December 31, 2009, and from January 1, 2015 to the date of receipt of this request, indicate the dates and times when each roaster at each facility was operating (and submit supporting documentation), if that information is different than that provided in response to item 12, above.
  14. For the periods November 28, 2006 to December 31, 2009, and from January 1, 2015 to the date of receipt of this request, provide copies of the results of all stack and emissions testing on all roasters for particulate matter, HCl and Cl<sub>2</sub> that were not previously submitted to the U.S. EPA. Include in your response the results of emission tests runs conducted prior to or around the same time as emission testing that was done for which the results were submitted to EPA. Also include any emission testing that was done for internal purposes for any reason even if such testing did not follow reference methods.
  15. Provide copies of the results and full test report for all stack and emissions testing performed on Amrox Roaster A, Amrox Roaster B, MII Roaster A or MII Roaster B for particulate matter, HCl and Cl<sub>2</sub> during the period January 1, 2015 to the date of receipt of this request, except you do not need to submit the report for the testing conducted on Amrox Roaster A on April 16, 2015. Include in your response the results of emission test runs conducted prior to or around the same time as the emission testing that was done. Also include any emission testing that was done for internal purposes for any reason even if such testing did not follow reference methods.
  16. Provide copies of the results and full test reports for the following stack and emissions tests: (1) the stack and emissions testing conducted on MII Roaster A in or around April 2008; and (2) any stack and emissions testing conducted on MII Roaster B other than the December 2002 test. Include in your response the results of emission test runs conducted prior to or around the same time as the emission testing that was done. Also include any emission testing that was done for internal purposes for any reason even if such testing did not follow reference methods.
  17. Provide copies of all Title V annual compliance certification reports submitted for each facility for the period November 28, 2006 to December 31, 2009 and from January 1,



2015 to the date of receipt of this request.

18. Provide copies of any written requests for approval you have made to EPA or to IDEM, pursuant to 40 C.F.R. §§ 63.1162(b)(2) and 63.8(f), to use a combination of parameters other than those listed in 40 C.F.R. § 63.1162(b)(2) for the determination of excess air, and provide copies of EPA's and/or IDEM's written responses.

## **Appendix C**

### **Confidential Business and Personal Privacy Information**

#### **Assertion Requirements**

You may assert a business confidentiality claim covering any parts of the information requested in the attached Appendix B, as provided in 40 C.F.R. § 2.203(b).

Emission data provided under Section 114 of the CAA, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2.

“Emission data” means, with reference to any source of emissions of any substance into the air:

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. § 2.301(a)(2)(i)(A), (B) and (C).

To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document for which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a caption or other suitable form of notice to indicate the intent to claim confidentiality. The stamped or typed caption or other suitable form of notice should employ language such as “trade secret” or “proprietary” or “company confidential” and indicate a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by EPA only to the extent permitted and by means of the procedures set forth at Section 114(c) of the CAA and 40 C.F.R Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the Request to Provide Information as a waiver of that claim, and the information may be made available to the public without further notice to you.

### **Determining Whether the Information is Entitled to Confidential Treatment**

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208, which provides in part that you must satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; that the information is not and has not been reasonably obtainable by legitimate means without your consent and that disclosure of the information is likely to cause substantial harm to your business's competitive position.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking that you support your confidential business information (CBI) claim. If you receive such a letter, you must respond within the number of days specified by EPA. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential **by page, paragraph, and sentence**. Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requestor without further notice to you. For each item or class of information that you identify as being CBI, EPA will ask that you answer the following questions, giving as much detail as possible:

1. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a special event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question number 1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available databases, promotional publications, annual reports or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, **explain with specificity** why release of the information is likely to cause substantial harm to

your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?

7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.
8. Is there any other information you deem relevant to EPA's determination regarding your claim of business confidentiality?

If you receive a request for a substantiation letter from the EPA, **you bear the burden of substantiating your confidentiality claim.** Conclusory allegations will be given little or no weight in the determination. In substantiating your CBI claim(s), you must bracket all text so claimed and mark it "CBI." Information so designated will be disclosed by EPA only to the extent allowed by and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

#### **Personal Privacy Information**

Please segregate any personnel, medical and similar files from your responses and include that information on a separate sheet(s) marked as "Personal Privacy Information." Disclosure of such information to the general public may constitute an invasion of privacy.

**CERTIFICATE OF MAILING**

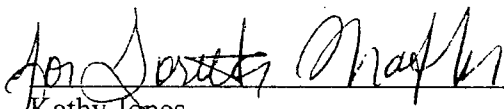
I, Kathy Jones, certify that I sent a Request to Provide Information Pursuant to the Clean Air Act by Certified Mail, Return Receipt Requested, to:

Franz Mullings, Vice President, Compliance and Business Development  
American Iron Oxide Company and  
Magnetics International, Inc.  
1111 North State Road 149  
Burns Harbor, Indiana 46304

I also certify that I sent a copy of the Request to Provide Information Pursuant to the Clean Air Act by First-Class Mail to:

Phil Perry, Chief  
Office of Air Quality / Compliance Branch  
Indiana Department of Environmental Management  
100 North Senate Avenue / Room IGCN 1003  
Indianapolis, Indiana 46204-2251

On the 9 day of March 2016

  
Kathy Jones

Administrative Professional Assistant  
Planning and Administration Section

CERTIFIED MAIL RECEIPT NUMBER:

7009 1680 0000 7673 7722